

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 19, 2005**

UNAPPROVED
MAY 31, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner de la Fe noted that the Transportation Committee would meet on Thursday, June 2, 2005, at 7:30 p.m., in the Board Conference Room.

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON 2232-Y04-19, NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC., TO A DATE CERTAIN OF JULY 28, 2005.

Commissioners Hart and Hall seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote; Commissioner Byers absent from the meeting.

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARINGS ON PCA 87-P-052-02, FDPA 87-P-052-02, PCA 84-P-007-03, AND FDPA 84-P-007-03, EYA DEVELOPMENT, INC., TO A DATE CERTAIN OF JUNE 16, 2005.

Commissioners Hall and Lusk seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote; Commissioner Byers absent from the meeting.

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FSA-L00-1-2 - CINGULAR, 6209 Rose Hill Drive

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION FIND FSA-L00-1-2 IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND THAT THE MODIFICATIONS BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote; Commissioner Byers absent from the meeting.

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FSA-L98-9-1 - CINGULAR, 6225 Brandon Avenue

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "FEATURE SHOWN" DETERMINATION IN FSA-L98-9-1 PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA* AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Byers absent from the meeting.

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FS-B05-12 – OMNIPOINT COMMUNICATIONS CAP OPERATIONS LLC,
5637 Guinea Road

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE "CONSENT AGENDA ITEM" FS-B05-12, OMNIPOINT COMMUNICATIONS CAP OPERATIONS LLC, 5637 GUINEA ROAD.

The motion carried unanimously with Commissioner Byers absent from the meeting.

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Commissioner Lawrence MOVED TO FURTHER DEFER THE DECISIONS ONLY ON FDP 2004-PR-024 AND RZ 2004-PR-024, ANTHONY DEVELOPMENT LTD, TO A DATE CERTAIN OF JUNE 15, 2005 WITH THE RECORD TO REMAIN OPEN.

Commissioner Lusk seconded the motion which carried unanimously with Commissioners Alcorn and Harsel not present for the vote; Commissioner Byers absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. SE 2005-LE-001 - SAUL HOLDINGS LIMITED PARTNERSHIP BY:
SAUL CENTERS, INC., GENERAL PARTNER
SEA 94-L-001 - SAUL HOLDINGS LIMITED PARTNERSHIP BY:
SAUL CENTERS, INC., GENERAL PARTNER
2. 2232-P05-3 - FAIRFAX COUNTY PARK AUTHORITY

This order was accepted without objection.

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SE 2005-LE-001 - SAUL HOLDINGS LIMITED PARTNERSHIP BY: SAUL CENTERS, INC., GENERAL PARTNER - Appl. under Sect. 4-604 of the Zoning Ordinance to permit a vehicle light service establishment. Located at 6700 Richmond Hwy. in the N.W. quadrant of Beacon Mall on approx. 42,600 sq. ft. of land zoned C-6, CRD and HC. Tax Map 93-1 ((1)) 1A pt. LEE DISTRICT.

SEA 94-L-001 - SAUL HOLDINGS LIMITED PARTNERSHIP BY: SAUL CENTERS, INC., GENERAL PARTNER - Appl. under Sect. 7-607 of the Zoning Ordinance to amend SE 94-L-001 previously approved for a drive-in bank to permit a drive-in bank and fast food restaurant in a Highway Corridor Overlay District. Located at 6700 Richmond Hwy. in the S.E. quadrant of Beacon Mall on approx. 1.97 ac. of land zoned C-6, CRD and HC. Tax Map 93-1 ((1)) 1A pt. LEE DISTRICT. JOINT PUBLIC HEARING.

Hillary Zahm, Urban Planner, Cooley Godward LLP, reaffirmed the affidavits dated April 15, 2005. There were no disclosures by Commission members.

Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff reports, copies of which are in the date file. She noted that staff recommended approval of the applications.

Ms. Zahm said that SEA 94-L-001 had the support of the Lee District Land Use Committee and that a meeting was scheduled for next month with the committee to discuss SE 2005-LE-001. She explained the proposed development would enhance the Richmond Highway corridor and provide sidewalks, landscaping and streetscaping. She also said that a filterra facility would be provided to address water quality.

Chairman Murphy called for speakers from the audience but received no response. He noted that rebuttal was not necessary. There were no comments or questions from the Commission and

staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lusk for action on these cases. (A verbatim excerpt is in the date file.)

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Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SE 2005-LE-001 TO A DATE CERTAIN OF JUNE 16, 2005.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR SEA 94-L-001 TO A DATE CERTAIN OF JUNE 2, 2005 WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC CORRESPONDENCE.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Byers absent from the meeting.

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2232-P05-3 - FAIRFAX COUNTY PARK AUTHORITY – Appl. to add land to Nottoway Park, located at 9537 Courthouse Rd., Vienna, and to develop new facilities and update and renovate existing facilities at the park. Tax Map 48-1 ((1)) 74, 85, 86. Area II. PROVIDENCE DISTRICT. PUBLIC HEARING.

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David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Irish Grandfield, Planning and Development Division, Fairfax County Park Authority, said the Park Master Plan needed to be updated to reflect the current and projected recreational needs of the area. He explained that the proposal would increase the size of the park and delete the amphitheater, multi-use courts, and the use of the historic Hunter House as a community center. Mr. Grandfield said that at the original public workshop and numerous subsequent meetings, the community had requested the preservation of trees, the addition of a rectangular field, and the elimination of the maintenance shop plans. He said the proposed revisions would balance the requests of citizens and the park and recreational needs identified by the Countywide Needs Assessment.

Chairman Murphy commented that it was mandatory for the Park Authority to do all in its power to maintain the parks so they would not eventually deteriorate and cost the taxpayers money.

In response to questions from Commissioners de la Fe and Hall, Mr. Grandfield explained that although the additional land had been originally purchased with the intent to have a maintenance facility in Nottoway Park, due to current public objection, the planning process for a new location of the facility would restart in 2006.

Chairman Murphy commented that it was unfortunate that the public did not see the need for a maintenance facility.

In response to questions from Commissioner Hart, Mr. Grandfield and Mr. Jillson said that there was no plan for vehicular access from Sutton Road under this proposal and that if it was necessary at a later date, it would be subject to 2232 approval.

Responding to questions from Commissioner Hart, Mr. Grandfield and Commissioner Lawrence said that as part of a recent rezoning, the path to enter Nottoway Park had recently been proffered as a pedestrian connection and an additional one-third acre had been added to the park.

In response to a question from Commissioner Wilson, Mr. Grandfield said that the Park Authority did not own the parcel at Sutton Road and Beverly Corner; therefore, it would not be available for access to the park.

Secretary Harsel called the first listed speaker and recited rules for testimony before the Commission.

Vivian Morgan-Mendez, 2854 Kelly Square, Vienna, representing the Friends of Nottoway, expressed support for adding land to Nottoway Park, developing new facilities, and updating and renovating existing facilities, but was opposed to adding another rectangular field and an expanded maintenance facility. She pointed out that the Master Plan had been revised to include another field after the Park Authority public hearing had been held on June 22, 2004, and the 30 day public comment period had expired. She said the County needed to adhere to its policy to ensure that adequate public facilities were provided before increasing the intensity and density of development. Ms. Morgan-Mendez submitted for the record a letter dated December 8, 2004 from the Friends of Nottoway to the Park Authority Board and a letter dated December 7, 2004 from Stephen Shannon to the Director of the Park Authority. (Copies of her remarks and the letters are in the date file.)

In response to a question from Commissioner Lawrence, Ms. Morgan-Mendez clarified her position saying that infrastructure should be planned at the same time density was increased.

Responding to a question from Commissioner Alcorn, Ms Morgan-Mendez said the need for more playing time could be achieved by installing a synthetic surface on the existing rectangular field.

Richard Bavier, 2860 Kelly Square, Vienna, said that he was opposed to the application because the location of another rectangular field would destroy mature woods and that the projected increase in population for the area required an increase in walking trails. (A copy of his remarks is in the date file.)

Fernando Mendez, 2854 Kelly Square, Vienna, expressed opposition to the application and said that the need for trails and woods outweighed the need for an additional athletic field. (A copy of his remarks is in the date file.)

Julie Appleby, 2828 Kelly Square, Vienna, representing the Country Creek Homeowners Association, said that the Master Plan was not in conformance with County policy because it dramatically changed the character of the park and therefore she could not support it. She said that the Master Plan discriminated against those who did not participate in organized sports, particularly lower income residents who could not afford the sport league fees. (A copy of her remarks is in the date file.)

Commissioner Hall explained that the Commission could only evaluate the character, location, and extent of the proposed facility and, if approved, she believed the character of the park would be maintained. Ms. Appleby said that there was a net loss of woodlands in this park compared to the population growth and pointed out that the standards were to provide 8.5 acres per 1,000 residents. She also said that if a field was installed at the Oak Marr facility, it would have less of an impact on the neighbors. Commissioner Hall responded that many organizations had appeared before the Commission stating that there were not enough playing fields in the County and that the neighbors of Oak Marr did not want additional fields in their neighborhood either.

Kirk Holley, Park Planning Branch, Fairfax County Park Authority, responded to questions from Commissioners Alcorn and Hart, noting that the projected population growth in the area had contributed to the revisions and inclusion of another Nottoway Park athletic field to the Master Plan. He pointed out that the proposed Fairlee development could exacerbate the current shortage of fields.

Mary Kitchen, 9846 Palace Green Way, Vienna, representing the Williamsburg Commons Homeowners Association, said that the association opposed the application due to the adverse impact on wildlife and bird nesting areas which would occur if the trees were destroyed to add an athletic field. (A copy of her remarks is in the date file.)

Angela Elliott, 3045 Hickory Grove Court, Fairfax, opposed the application and said that the loss of trees would negatively impact the air quality of the area. (A copy of her remarks is in the date file.)

In response to a question from Commissioner Alcorn, Ms. Elliott said that the source of her statistics relating to exhaust pollution was from the Maryland Environmental Protection Agency.

Terry Lash, 8809 Olympia Fields Lane, Vienna, representing Vienna Youth Soccer, spoke in favor of the application. He said that if the proposed field had a synthetic surface, the amount of

time available for play could be increased. He also added that the league did not turn away any child due to the inability to pay the fee.

In response to a question from Commissioner Lusk, Mr. Lash said that the percentage of individuals who were being subsidized was small and that he would forward that information for inclusion into the record. Responding to a question from Commissioner Wilson, Mr. Lash said the league did not play on artificial surfaces at the present time. He added that it was his understanding that the possibility of injuries caused by the surface was low and that the benefits included additional playing time during inclement weather.

Responding to questions from Commissioner Hart, Mr. Holley and Mr. Lash said that synthetic surfaces allowed for increased usage which would help reduce the current need for fields. Mr. Holley added that the Park Authority was currently evaluating the overall maintenance cost of synthetic surfaces. Mr. Lash noted that the Vienna Soccer League was prepared, along with other organized groups, to participate financially in the implementation of the fields as presented in the revised Master Plan.

Shawn MacDonald, 2729 Sutton Road, Vienna, expressed opposition to the application and said that the park was currently a well-balanced facility but the proposed plan would change the basic character of the park. He said the trails lost for the playing field would not be replaced and the statement that there was a critical need for more soccer fields was incorrect. He also expressed concern that the public process ended before alternatives could be discussed.

Will Eiseman, 2733 Sutton Road, Vienna, spoke in opposition to the application. He said he did not want the woods destroyed and the public had not been given the opportunity to participate in the decision making process. (A copy of his remarks is in the date file.)

Charles Hall, 9577 Blake Park Court, Fairfax, representing the Blake Manor Homeowners Association, spoke in opposition to the application and aligned himself with the comments of previous speakers who said that other sites had not been considered and that the public process was deficient. He said if the case was deferred, the community could come up with alternative solutions to extend the accessibility and use of the present fields without destroying the character of Nottoway Park.

In response to questions from Commissioner Alcorn, Mr. Hall said that he lived within walking distance of the park and although the Fairlee rezoning project had not come before the Commission yet, the developer had held a community meeting and discussed proffers for the site.

Responding to a question from Commissioner de la Fe, Mr. Hall identified the locations of the fields shown in the video he presented.

Frank Sheridan, 9916 Oleander Avenue, Vienna, representing the Edgelea Woods Homeowners Association, said he was opposed to the application since Nottoway Park already served as a

major sports facility with six fields; another field would generate more traffic; and the predominant users of the park were pedestrians whose needs would not be met with this change.

Mark Tipton, 3018 Hickory Grove Court, Fairfax, spoke in opposition to the application and submitted for the record a letter dated May 18, 2005 from Michael McMahon, Chairman of the Fairfax County Tree Commission addressed to Commissioner Lawrence. He said that the character and the natural beauty of the park would be destroyed by the addition of a soccer field in a wooded area. Mr. Tipton said according to the Park Authority's Green Infrastructure Map and the Needs Assessment Study these woodlands had the highest value to the park and there was a greater need for trails than soccer fields. (Copies of his remarks and the letter are in the date file.)

Deborah Smith, 9569 Lagersfield Circle, Vienna, opposed the application because the Master Plan was not in conformance with the Comprehensive Plan. She said that the proposed development was, as stated in the Plan, not sensitive to the natural setting and would not prevent the degradation of the County's natural environment. (A copy of her remarks is in the date file.)

Carrie Tipton, 2600 Glencroft Road, Vienna, said she was opposed to the application because it would change the nature, character, and extent of the park by clearing the wooded area. She also expressed concern about the lack of a public forum for the discussions leading up to the application and felt the community could come up with a solution.

Commissioner Hall commented that the speakers needed to stay focused on the matter at hand because some of the issues raised were not relevant to this application. Ms. Tipton, in response to a question from Commissioner Hall, said the community had not been informed of the addition of a soccer field to the finalized plan and therefore had not had an opportunity to comment prior to this hearing.

Commissioner Harsel asked Mr. Holley if he would later clarify the Park Authority's procedures so that the Commissioners could better understand that process for public hearings.

Craig Searls, 2942 Gray Street, Oakton, said that the wooded area in question was a resource that could not be recovered if lost and asked the Commission to defer its decision in the interest of preserving the character of the park.

Milan Cuc, 9540 Whitecedar Court, Vienna, said he opposed the application because it was at odds with the expressed preferences of County residents as shown by the Park Authority's website, statewide polls, and several workshops and forums. He also questioned how well the current facilities were being used and said that some innovative ways needed to be considered to ensure the right balance between sports, cultural events, and quiet recreation.

Robin Templeton, 9577 Blake Park Court, Fairfax, opposed the application saying that the trail was in constant use during the day and that there needed to be a solution that was appropriate for the entire community. She also said that the intermittent stream might make it impractical to

place a field there pointing out that a stream was more appropriate for woods and trails. (A copy of her remarks is in the date file.)

Robin Yi, 9636 Masterworks Drive, Vienna, expressed opposition to the application and said that most people used the park for multiple reasons and that the woods were what defined the park.

Responding to a question from Commissioner de la Fe, Mr. Grandfield said the location of a second soccer field had not been shown in a wooded area when the Park Authority Board public hearing had been held in June, but had been shown in a partially wooded area at the open house held in February.

In response to a question from Commissioner Harsel, Mr. Grandfield said that an open house had been held in response to community interest at which time several alternatives for the Park Master Plan had been presented. He explained that an open house was comparable to a public workshop and included a roundtable discussion with a question and answer period and that it had been well attended with approximately 150 people present. He added that the Park Authority Board had decided to change the location of the second soccer field after the open house had been held.

In response to questions from Commissioners Harsel and Hart, Mr. Holley explained the public hearing process for changes to the Master Plan and the timeline of events that led up to the final Nottoway Park proposal. He noted that the procedures were similar to public hearings held by the Planning Commission and the Board of Supervisors where changes, such as revisions of proffers, were made. Mr. Holley added that he did not believe the change in the location of the soccer field represented a change in the character of the plan and that the final recommendations had been made public when the Board package had been distributed a few days prior to their meeting and were also available at that time at the Park Authority office and on its website. He noted, however, that the public response period had been closed at that point.

In response to questions from Commissioner Hall, Mr. Holley said that Nottoway Park was a dynamic district park with a wide variety of users and that the woods alone did not characterize the park. Mr. Grandfield pointed out that the relocation of the proposed field had been determined after citizen input received at the June public hearing.

Mr. Grandfield, responding to questions from Commissioner Lawrence, said that alternative locations in Nottoway Park had been considered for the new field but would have sacrificed open play areas and the cultural landscape around the historic Hunter House.

In response to questions from Commissioner Wilson, Mr. Grandfield said that although moving a smaller baseball field to the wooded area and locating the new larger soccer field in the open area would destroy less tree growth, the solution would not be not cost effective. He also said that the trails located on the proposed field site would be relocated but were not shown on the Conceptual Development Plan due to the ephemeral nature of natural surface trails.

Responding to questions from Commissioner Alcorn, Mr. Holley said that if the Park Authority decided to install lighting on the new field a lighting study would be conducted to ensure that it would be fully compliant with the new Zoning Ordinance.

The Commission had no further comments or questions and staff had no closing remarks; therefore, Secretary Harsel called upon Commissioner Lawrence for action on this application.

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON 2232-P05-3 TO A DATE CERTAIN OF JUNE 15, 2005 WITH THE RECORD TO REMAIN OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioners Alcorn and Lusk seconded the motion which carried unanimously with Commissioner Murphy not present for the vote; Commissioner Byers absent from the meeting.

Commissioner Lawrence noted all materials sent to the Planning Commission via e-mail regarding this case would also be forwarded to the Fairfax County Park Authority.

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The meeting was adjourned at 11:28 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Susan M. Donovan

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission